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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,984	03/11/2004	Noriki Tachibana	02860.0638-01	4623
22852	7590	06/01/2005	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			DUONG, TAI V.	
			ART UNIT	PAPER NUMBER
			2871	

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Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050530

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Commissioner for Patents

The reply filed on 03/10/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Newly submitted claims 21-34 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

I: Canceled claims 1-20 are drawn to a polarizing plate protective film employed in a liquid crystal display member and a liquid crystal display member, and are classified in class 349, subclass 96.

II: Newly submitted claims 21-23 are drawn to an apparatus for forming an optical film, and are classified in class 445, subclass 60.

III: Newly submitted claims 24-34 are drawn to a method for forming an optical film, and are classified in class 430, subclass 321.

Inventions II and I are related as apparatus and product made. The inventions in this relationship are distinct if either or both of the following can be shown: (1) that the apparatus as claimed is not an obvious apparatus for making the product and the apparatus can be used for making a different product or (2) that the product as claimed can be made by another and materially different apparatus (MPEP § 806.05(g)). In this case, the polarizing plate protective film can be made by a different apparatus such as a *belt* casting apparatus which has no drum and no tenter drying section.

Inventions III and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process

Art Unit: 2871

(MPEP § 806.05(f)). In the instant case, the polarizing plate protective film can be made by a different process (the process carried out by a *belt* casting apparatus) which has no step of drying the peeled film at a tenter drying section, and the support being a *belt* (instead of a drum).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 21-34 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 03/10/05 canceling all claims drawn to the invention I and presenting only claims drawn to non-elected inventions II and III is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention for the above-mentioned reasons.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Art Unit: 2871

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



DUNG T. NGUYEN
PRIMARY EXAMINER



TVD

05/05